

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

(1) KENNETH TUROCZI and)	
(2) TYRENE TUROCZI,)	
)	
Plaintiffs,)	
)	
)	
vs.)	Case No. 5:23-CV-00095-JD
)	
)	
(1) TRAVELERS COMMERCIAL)	
INSURANCE COMPANY,)	
)	
Defendant.)	

**PLAINTIFFS' MOTION FOR EXTENSION OF TIME TO REPLY TO DEFENDANT'S
OBJECTION AND RESPONSE IN OPPOSITION TO PLAINTIFFS'
SECOND MOTION TO FILE AMENDED COMPLAINT**

Come now Plaintiffs and make application to the Court for an extension of time in which to file their reply to Defendant's Objection and Response in Opposition to the Plaintiff's Second Motion to File an Amended Complaint. The extension sought is for four days from and after the current date such reply is due to make any reply to Defendant's response.

In support of such application the Plaintiffs would show the Court that Plaintiffs' Reply is due to be filed by LCvR7.1(i) on April 10, 2023 and no previous extensions have been made. The extension is made for the reason that the reply is made to a response following the order of this Court to submit a proffered amended complaint (from a removed state Petition) and which response afforded Defendant an opportunity to address legal argument in opposition to these newly articulated facts, which Plaintiffs have not yet had any opportunity to present legal argument in support of same. Thus, Plaintiff's opportunity to present a supportive argument

is essentially to a Motion to Dismiss Complaint (which time period is 21 days under local Rule) rather than a response to a motion that does not involve such a broad base of fact. The extended time to respond would still be less than that which would have been afforded if this had been made to a dismissal motion of an original complaint.

The opposing counsel has been contacted and does not oppose this extension. The requested relief, above stated, will have no impact upon any scheduled trial or other deadline(s).

All of which is respectfully submitted.

/s/ Gary W. Gardenhire
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Encl., Proposed Order

CERTIFICATE OF SERVICE

I hereby certify that on this 7th day of April, 2023 a true and correct copy of the foregoing document was served upon the following via the Court's electronic system, electronic mail, and/or U.S. Mail, postage prepaid thereon to:

Sara E. Potts
Doerner, Saunders, Daniel, *et al*
210 Park Avenue, Suite 1200
Oklahoma City, OK 73102

-and-

Michael S. Linscott
Alexandra J. Gage
Williams Center Tower II
2 West Second Street, Suite 700
Tulsa, OK 73403-3177

/s/ Gary W. Gardenhire

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Defendant.)	

ORDER

Upon the application of Plaintiffs herein and for good cause shown, and further without objection of Defendant, the motion to extend the time to reply to the response of said Defendant in Objection and Response in Opposition to Plaintiffs' Second Motion to File Amended Complaint is granted. Plaintiff will make any such reply an additional four days from and after the current due date.

UNITED STATES DISTRICT JUDGE